

REMARKS

Claims 1-15 are all the claims pending in the application. Of these claims, claims 10-13 have been withdrawn from further consideration. Claims 1, 14, 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen, et al. (U.S. Patent No. 7,206,067) in view of Boppart, et al. (U.S. Patent No. 6,485,413). Further, claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen, et al. in view of Boppart, et al. and further in view of Deichmann, et al. (U.S. Patent Publication No. 2003/0164952). Still further, claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen, et al. in view of Boppart, et al. Applicants thank the Examiner for having indicated that claims 3, 5-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicants have added new claims 16 and 17 respectively corresponding to claims 1+3 and 4+5. Accordingly, it is submitted that these claims are allowable.

For the following reasons, Applicants respectfully traverse the Examiner's prior art rejections.

Applicants have amended claims 1 and 4 to more fully describe the invention. As amended, claims 1 and 4 recite that the micro-mirror element is rotatable about an axis perpendicular to the propagation direction of the collimated light beam. On the contrary, the Boppart et al- reference discloses a micro-mirror element which is rotatable about an axis which is parallel to the propagation direction of the light beam. Therefore, Jensen et al. and Boppart et al., either alone or in combination, do not disclose or suggest the inventions as recited by newly amended claims 1 and 4.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/517,657

Attorney Docket No.: Q85169

It is respectfully submitted that no new matter has been added.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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